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C O N F I D E N T I A L SECTION 01 OF 02 VILNIUS 000283

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SUBJECT: RABBI BAKER PRESSES FOR RESTITUTION RESULTS

REF: 04 VILNIUS 1292

Classified By: POL/ECON OFFICER GREGORY L. BERNSTEEN FOR REASONS 1.4 (b) and (d)

11. (C) SUMMARY: The Lithuanian Government and political leaders reaffirmed their commitment to restitution of Jewish communal property during a series of meetings with visiting American Jewish Committee official Rabbi Andrew Baker March 7-8. Paving the way for Baker's visit, the local Jewish community submitted to the Ministry of Justice a "final" list of 438 restitutable properties. The Government expects to complete archival research on the list during the summer of 2005 and to introduce legislation authorizing restitution in the fall. The process to establish the foundation that will administer restituted properties and associated monies has been completed, despite attempts by some Jewish community groups to delay or derail it. END SUMMARY.

The "Final" List of Properties for Restitution? Almost...

12. (C) American Jewish Committee official Rabbi Andrew Baker assured PM Algirdas Brazauskas and opposition Conservative party leader Andrius Kubilius that the list of properties the Jewish community submitted to the MOJ on March 4 was "for all intents and purposes a final" and comprehensive list of former Jewish communal properties with extant buildings. Baker did not rule out the possibility that during the "next week, next month or next year" one or two additional properties would turn up, but suggested additions to the list would be few. The "final" list of 438 properties comprises 172 previously submitted to the GOL and 266 new properties. Brazauskas commented that the GOL would need at least six months to research the new properties and authenticate the claim.

13. (C) Baker pressed both Brazauskas and Justice Minister Gintautas Buzinkas, in separate meetings, for a restitution timeline. Brazauskas estimated that the Government would complete the research and valuation of properties by September. With an estimate of the total cost of restitution then in hand, the MOJ would submit draft legislation to the Parliament (Seimas) to modify the restitution law and allow restitution to begin. Brazauskas opined that passing this legislation entirely depended on the Seimas, but could possibly take two years.

14. (C) Kubilius and MP Emmanuelis Zingeris told Baker it would be important to push the legislation through as quickly as possible to prevent it from becoming an issue in municipal elections, and assured Baker of their full support for the restitution process. Recalling Lithuania's post-independence privatization process, whose results failed all interested parties, Kubilius expressed concerns about the management of the resources of the foundation responsible for restitution funds, cautioning that the foundation's eventual large endowment could be a temptation for abuse. Baker pledged that the foundation would operate in an open, transparent and inclusive manner. He stated that the board would deal fairly with tenants or residents in restituted property. Baker said that the board would use rental income and sales proceeds to support all bona fide Jewish communal activities and some needy Holocaust survivors. Making implicit reference to claims that the composition of the foundation's board did not adequately represent all sectors of the Jewish community, Baker assured that the board would distribute funds to applicants regardless of whether the group requesting funding has a representative on the board.

Registering the Foundation: Why So Hard?

15. (C) A central theme Baker raised in every meeting was the challenge faced by the Lithuanian Jewish community to register the foundation to administer restituted properties and compensation. The attorney for the Lithuanian Jewish Community began the registration process on March 2. The attorney is required to register through a notary, who then presents the documents to the Registration Department at the MOJ. On March 3, the Kaunas Religious Jewish Community, a Hasidic group not affiliated with the secular Jewish community organizations, submitted a letter to the Notary Association requesting that the registration of the

foundation be delayed. The Notary Association faxed this letter to all 207 notaries in Lithuania, although their reason for doing so is unclear. When the attorney attempted to submit some corrected paperwork on March 4, the notary refused to accept the documents, citing the letter.

16. (C) Buzinskas confirmed that this letter has no legal standing and does not affect the registration of the foundation. Buzinskas said that the Ministry would contact the Notary Association and relay this information and Ambassador Mull sent a letter to Buzinskas confirming this understanding. The attorney successfully registered the foundation on March 15.

Comment: Another Step Along the Path

17. (C) Baker's visit has again jump-started the slow-moving restitution process. His presence overcame the procrastination inside the Jewish community and motivated its leaders to submit the updated list of properties. Baker continues to try to find common ground between the various factions in the community, and to bring some of the outlying groups into the tent. If the GOL meets its commitment to confirm the ownership of properties on the list, substantial progress toward resolution of the restitution issue will occur by the end of the year.

Mull